

JS-6

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

CHEN CHEN,

Plaintiffs,

v.

ALEJANDRO N. MAYORKAS,
SECRETARY OF THE DEPARTMENT
OF HOMELAND SECURITY;
MERRICK GARLAND, ATTORNEY
GENERAL OF THE UNITED STATES;
DAVID M. RADEL, DIRECTOR LOS
ANGELES ASYLUM OFFICE
Defendants.

No. 2:22-CV-09393-PA-(MARx)

ORDER DISMISSING CASE

Honorable Percy Anderson
United States District Judge

1 Having read and considered the Joint Stipulation to Dismiss the Case submitted by
2 the parties, and finding good cause therefor,

3 IT IS HEREBY ORDERED that:

- 4 1. The instant action shall be dismissed without prejudice;
- 5 2. USCIS shall interview Plaintiff on March 16, 2023, at 8:45 a.m., at the Los
6 Angeles Asylum Office in Tustin, California. USCIS intends to conduct the
7 interview on the date set, however, the parties understand that due to
8 unexpected staffing limitations or other unforeseen circumstances that may
9 arise, USCIS reserves its right to cancel and reschedule the interview.
10 Should rescheduling be necessary, the interview will be rescheduled within
11 four (4) weeks of the original interview date, absent unforeseen or
12 exceptional circumstances;
- 13 3. Plaintiff agrees to attend the interview on the date listed above, absent
14 unforeseen or exceptional circumstances;
- 15 4. If needed, Plaintiff agrees to only make one (1) interview reschedule request
16 and to notify the Los Angeles Asylum Office of the reschedule request, in
17 writing, prior to the scheduled interview date. Plaintiff may email the
18 reschedule request to LosAngelesAsylum@uscis.dhs.gov;
- 19 5. If multiple reschedule requests are made by Plaintiff, USCIS may place the
20 asylum application back into the Los Angeles Asylum Office's general
21 interview scheduling priorities. *See*
22 *[https://www.uscis.gov/humanitarian/refugees-and-](https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/affirmative-asylum-interview-scheduling)*
23 *[asylum/asylum/affirmative-asylum-interview-scheduling](https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/affirmative-asylum-interview-scheduling)*;
- 24 6. Plaintiff understands that additional interview(s) may be required by USCIS
25 as part of the asylum interview process and the adjudication of the
26 application;
- 27 7. USCIS agrees to diligently work towards completing adjudication of the
28 asylum application within 120 days of completion of Plaintiff's asylum

interview, absent unforeseen or exceptional circumstances that would require additional time to complete adjudication;

8. In the event that USCIS does not complete adjudication of the asylum application within 120 days of the completion of the asylum interview, Plaintiff may refile this action;
9. Plaintiff agrees to submit all supplemental documents and evidence, if any, to USCIS prior to the agreed upon scheduled interview based on the following timelines. Plaintiff may email any supplemental documents to LosAngelesAsylum@uscis.dhs.gov at least seven (7) calendar days before the interview. Alternatively, Plaintiff may mail the supplemental documents to the Los Angeles Asylum Office, P.O. Box 2003, Tustin, CA 92781-2003, postmarked no later than ten (10) calendar days prior to the scheduled asylum interview. Plaintiff recognizes that failure to submit these documents in a timely manner may result in the interview being rescheduled at no fault of USCIS;
10. Each party agrees to bear his, her or its own litigation costs, expenses, and attorney fees.

Dated: March 8, 2023



PERCY ANDERSON
UNITED STATES DISTRICT JUDGE